

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 SP-02 L-03 TRSE-00 CIAE-00

DODE-00 INR-07 NSAE-00 PA-02 USIA-15 PRS-01 /043 W

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FM AMEMBASSY VIENNA

TO SECSTATE WASHDC PRIORITY 0456

UNCLAS VIENNA 0167

E.O. 11652: N/A

TAGS: PFOR, AU

SUBJECT: NEW AUSTRIAN LEGISLATION PERTAINING TO PERSECUTEE CLAIMS

REF: 75 VIENNA A-399, 75 VIENNA A-69, 74 VIENNA A-550,

74 VIENNA 9046

1. AUSTRIAN FEDERAL PARLIAMENT PASSED LEGISLATION DECEMBER 13, 1976 WHICH BECAME EFFECTIVE JANUARY 1, 1977, AUTHORIZING FEDERAL MINISTER OF FINANCE TO TRANSFER FROM AUSTRIAN FEDERAL BUDGET TOTAL OF AS 440 MILLION (APPROXIMATELY DOLLARS 25,872,000) IN INSTALLMENTS TO AID FUND FOR DISTRIBUTION TO NEEDY PERSECUTEES. PERSECUTEES ELIGIBLE FOR BENEFITS UNDER THIS LEGISLATION ARE DEFINED AS PERSONS WHO WERE SUBJECTED TO PERSECUTION FOR POLITICAL, RACIAL, RELIGIOUS OR NATIONAL ORIGIN REASONS BETWEEN MARCH 5, 1933 AND MAY 8, 1945. EXCLUDED ARE PERSONS WHOSE CLAIMS WOULD BE BASED ON CONSEQUENCES OF PRO-NATIONAL SOCIALIST ACTIVITIES. ELIGIBILITY DEPENDS ON QUALIFICATION UNDER CRITERIA SPELLED OUT IN PARA TWO BELOW. LAW PROVIDES FOR PAYMENT OF AID FUND OF FIRST INSTALLMENT OF AS 30 MILLION (DOLLARS 1,764,000) WITHIN 30 DAYS FROM JANUARY 1, 1977 AND SUBSEQUENT PAYMENTS OF AS 30 MILLION (DOLLARS 1,764,000) BY THE END OF EACH QUARTER WITH A FINAL PAYMENT OF AS 20 MILLION (DOLLARS 1,176,000) ON JUNE 30, 1980.

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2. NEW LEGISLATION PROVIDES THAT UNDER BY-LAWS TO BE ENACTED BY AID FUND, ONE-TIME PAYMENT OF BETWEEN AS 3,000 (DOLLARS 175) AND AS 15,000 (DOLLARS 875), AMOUNT DEPENDING ON EXTENT OF NEED, WILL BE MADE BY AID FUND TO PERSECUTEES WHO WERE (A) AUSTRIAN CITIZENS ON EITHER JANUARY 1, 1977 OR (B) MARCH 13, 1938, OR WHO, (C) REGARDLESS OF CITIZENSHIP, WERE RESIDENTS OF AUSTRIA

FOR AN UNINTERRUPTED MINIMUM PERIOD OF TEN YEARS PRIOR TO MARCH 13, 1938. IF PERSECUTEE DIED BETWEEN MARCH 5, 1933 AND MAY 8, 1945 AS RESULT OF PERSECUTION, SURVIVING WIDOW OR LIFE COMPANION, UNLESS RE-MARRIED, ENTITLED TO ONE-TIME PAYMENT DESCRIBED ABOVE. OTHER SURVIVORS NOT REPEAT NOT ENTITLED TO PAYMENT.

3. AID FUND BY-LAWS FURTHER PROVIDE FOR PRIORITY PAYMENT OF ADDITIONAL AS 15,000 (DOLLARS 875) TO A PERSON WHO IN THE COURSE OF PERSECUTION (A) WAS DETAINED FOR A MINIMUM OF ONE YEAR, OR (B) WAS DETAINED FOR A MINIMUM OF SIX MONTHS UNDER EXTRAORDINARILY CRUEL CONDITIONS, OR (C) IS 50 PERCENT OR MORE DISABLED AS A RESULT OF PERSECUTION AND EITHER HIMSELF OR HIS WIFE OR LIFE COMPANION IS BLIND OR DEAF, SUFFERS FROM CANCER, FROM PARALYSIS AS A RESULT OF BRAIN TUMOR, FROM MULTIPLE SCLEROSIS OR A HEART CONDITION PREVENTING HIM FROM LEAVING HIS HOME, OR WHOSE ARMS OF LEGS ARE PARALYZED OR MISSING, OR (D) WHO LIVES IN OLD AGE OR NURSING HOME MAINTAINED BY PUBLIC OR PRIATE FUNDS AT THE EXPENSE OF A THIRD PARTY, OR (E) WAS BORN PRIOR TO JANUARY 1, 1909.

4. DR. GEORGE WEIS, MANAGER OF AID FUND, ADVISED EMBASSY THAT HE PRESENTLY DRAFTING BY-LAWS SUBJECT TO APPROVAL BY GOA, AND HOPES TO START PAYMENTS SOON. HE FURTHER INDICATED HE HAS NAMES/ADDRESSES OF MOST PERSECUTEES ELIGIBLE TO ONE-TIME PAYMENT AND IS NOW SENDING NOTICES TO THESE PERSONS. IN ADDITION, HE INTENDS TO PUBLICIZE LEGISLATION IN LOCAL AND FOREIGN UNCLASSIFIED

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NEWSPAPERS. APPLICATION FORMS FOR ONE TIME AWARD WILL BE AVAILABLE AT ALL AUSTRIAN FOREIGN SERVICE POSTS, ACCORDING TO WEIS.

5. EMBASSY POUCHING TEXT OF RELEVANT LEGISLATION TO DEPARTMENT (EUR/CE). BUCHANAN

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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
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